

# COMMITTEE AMENDMENT FORM

DATE: 03/01/06

COMMITTEE      ZONING      PAGE NUM. (S)

ORDINANCE I. D. #06-O-0140      SECTION (S)

RESOLUTION I. D. #06-R-      PARA.

- AMENDS THE LEGISLATION BY ADDING ONE (1) CONDITION WHICH IS A SITE PLAN.

City Council  
Atlanta, Georgia

06-0140

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-05-126/Z-84-55  
Date Filed: 11-16-05

AN ORDINANCE TO AMEND ORDINANCE 84-O-1302 (Z-84-55) WHICH REZONED PROPERTY FROM C-3 (COMMERCIAL RESIDENTIAL) AND C-3-C (COMMERCIAL RESIDENTIAL-CONDITIONAL) TO PD-OC (PLANNED DEVELOPMENT-OFFICE COMMERCIAL), LOCATED AT **3391 PEACHTREE ROAD, N.E.**, FOR THE PURPOSE OF A SITE PLAN AMENDMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That all currently approved site plans and conditions governing the development of the property located at **3391 Peachtree Road, N.E.**, more particularly described by the attached legal description and/or survey are hereby deleted in their entirety and a new site plan is hereby adopted in lieu thereof..

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District", and Chapter 19A through Chapter 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

The following land title exceptions are listed by the policy numbers as appears on the Commonwealth Land Title Insurance Company commitment number SB04008 CX, schedule B-E effective date February 17, 1989. The deed books shown are on file with the Clerk of Superior Court of Fulton County, Georgia.

The following land title exceptions are listed by the policy numbers as appears on the Commonwealth Land Title Insurance Company commitment number 880408 CX, schedule B-E effective date February 17, 1989. The deed books shown are on file with the Clerk of Superior Court of Fulton County, Georgia.

- [illegible]

ALL THAT TRACT or parcel of land known as 3391 Peachtree Road and being within the City of Atlanta and being a portion of Land Lot 45 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

ALL THAT TRACT or parcel of land known as 3391 Peachtree Road and being within the City of Atlanta and being a portion of Land Lot 45 of the 17th District of Fulton County, Georgia and being more particularly described as follows:

[illegible]

TGSE/HR has two rights contained in that Department of Transportation, State of Georgia, Department of Transportation, for Special Employment, dated August 22, 1990, and of record September 13, 1990, recorded in Deed Book 13,535, page 225, otherwise records.

TGSE/HR has those assessments for access, ingress, and other assessments authorized by the rights of adjacent to the Cross Eminent Agreement, dated January 16, 1987, filed of record January 20, 1987, recorded in Deed Book 13,445, otherwise records.

TGSE/HR has those assessments for access, ingress, and other assessments authorized by the rights of adjacent to the Cross Eminent Agreement, dated April 11, 1988, filed of record April 12, 1988, recorded in Deed Book 13,445, otherwise records.

TGSE/HR has those assessments for access, ingress, and other assessments authorized by the rights of adjacent to the Cross Eminent Agreement, dated December 37, 1990, filed of record January 14, 1991, recorded in Deed Book 13,914, page 19 and otherwise recorded in Deed Book 14,010, page 24, otherwise records.

TGSE/HR has those assessments for access, ingress, and other assessments authorized by that Amendment to Cross Eminent Agreement, dated June 8, 1994, filed of record January 23, 1995, recorded in Deed Book 14,162, page 251, otherwise records.

AND TOGETHER with those accounts for access, ingress and egress and other accounts created by the Amended Easement Agreement between the Plaintiff Association, Ltd., and Defendant, the Plaintiff Property Investors and Metropolitan Life Insurance Company, dated January 18, 1982, filed of record January 23, 1982, recorded in Deed Book 10359, Page 78. Further, Defendant, the Plaintiff Association, Ltd., Amended, dated April 11, 1988, filed of record April 12, 1988, recorded in Deed Book 12412, Page 206, as Amended, by their certain Second Amended and the Amended Easement Agreement, dated April 11, 1988, filed of record January 18, 1982, recorded in Deed Book 10359, Page 161, at Deed Book 15033, Page 170, and at Deed Book 15033, Page 177, otherwise records.

20 0 20 40 60  
GRAPHIC SCALE - FEET

[illegible]

20 0 20 40 60  
GRAPHIC SCALE - FEET

EXISTING BUILDING

129.67

SWISSTEL BLDG

7 57 33 27' W

N 76 34 41' E 112.00'

4 10 51 45' W

14.00'

5 32 51 37' W

7.52'

6 57 52 36' W

34.81'

PICKETMAN PLAZA EXHIBITON  
CHICKEN & JUNKIE  
DEED BOOK 1719E PAGE 157  
WETLES AND BEANNEY  
BIDDING AGREEMENT AS  
RECORDED

BENNIGAN'S RESTAURANT  
DETAIL OF PEDESTRIAN EASEMENT  
AT PLAZA LEVEL

<b>JORDEN &amp; CO., INC.</b>	
8 CLIFF VALLEY WAY N.E. SUITE 200	
ATLANTA, GEORGIA 30329	
ENGINEERS SURVEYORS PLANNERS	
6-18-89	D/W CASE
DATE	REV

The undersigned, being a registered surveyor of the State of Georgia certifies to (1) Morgan Stanley Mortgage Capital, Inc., and Bankers Trust Company, and their successors and assigns, and (2) BNC/Suisse L.L.C. and CESH Atlanta 612 and their successors and assigns, and (3) Commercial/Real Estate Insurance Company as follows:

- [illegible]

BRYANT G. KAGNEL, REGISTERED LAND SURVEYOR # 2700  
Within the State of Georgia  
Date of Survey: May 27, 1999  
Date of Last Revision:  
  
W.L. Jordan & Co., Inc.  
1908 City Valley Hwy. - Suite 200  
Albion, Georgia 31709  
606-375-1027

[illegible]

LAND LOT 45  
17TH DISTRICT  
CITY OF ATLANTA  
FULTON COUNTY  
GEORGIA

**W. L. JORDEN & CO., INC.**  
1908 CLIFF VALLEY WAY N.E. SUITE 200  
ATLANTA, GEORGIA 30329  
ENGINEERS SURVEYORS PLANNERS

6-18-89	D/F CASE ON
DATE	REASON

**CONDITIONS FOR Z-05-126 for 3391 Peachtree Road, N.E.**

1. Site plan entitled "The Palm" prepared by wd Partners, marked received by the Bureau of Planning November 16, 2005.

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11.

City Council  
Atlanta, Georgia

06-0-0140

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